

COASTAL ZONE MANAGEMENT ACT OF 1972
REAUTHORIZATION

MAY 22 (legislative day, APRIL 15), 1985.—Ordered to be printed

Mr. DANFORTH, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

[To accompany S. 959]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 959) to amend the Coastal Zone Management Act of 1972 to provide authorization of appropriations, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill do pass.

PURPOSE OF BILL

The purpose of this bill is to reauthorize the Coastal Zone Management Act (CZMA) for 5 years (fiscal years 1986 through 1990) and to repeal a provision of the act relating to personnel. S. 959 authorizes \$43,205,000 for fiscal year 1986; \$45,149,225 for fiscal year 1987; \$47,180,940 for fiscal year 1988; \$49,304,082 for fiscal year 1989; and \$51,522,765 for fiscal year 1990.

BACKGROUND AND NEEDS

The CZMA was enacted in 1972 to encourage and assist States in developing and implementing management programs to preserve, protect, develop, and where possible, restore or enhance the resources of the Nation's coast by the exercise of planning and control of activities occurring in and affecting their coastal zones.

The current authorization of appropriations for grants to States and for program activities by the National Oceanic and Atmospheric Administration (NOAA) to implement the act expires at the end

of fiscal year 1985. This bill reauthorizes appropriations for those grants and activities for 5 additional years.

LEGISLATIVE HISTORY

S. 959 was introduced by Senators Danforth, Packwood, Gorton, Stevens, and Hollings on April 18, 1985. The National Ocean Policy Study and the full Committee held hearings on the bill on May 3, 1985. Testimony on the coastal zone management activities reported in this bill was received from representatives of NOAA, coastal States, local government and citizens groups, the oil, gas and related ocean industries, and the environmental community. The Committee ordered reported S. 959 unanimously on May 9, 1985.

SUMMARY OF MAJOR PROVISIONS

S. 959, as reported, imposes a freeze on spending under the CZMA, capping the fiscal year 1986 authorization level at the fiscal year 1985 appropriations level and allowing a 4.5 percent increase during each of the succeeding years.

The programs and functions authorized by the bill include:

Interstate Grants (Section 309)

<i>Fiscal Year</i>	<i>Dollars</i>
1986	1,000,000
1987	1,045,000
1988	1,092,025
1989	1,141,166
1990	1,192,519

Estuarine Sanctuaries (Section 315)

<i>Fiscal Year</i>	<i>Dollars</i>
1986	2,930,000
1987	3,061,850
1988	3,199,633
1989	3,343,617
1990	3,494,079

Program Management and Administration by NOAA

<i>Fiscal Year</i>	<i>Dollars</i>
1986	3,275,000
1987	3,422,375
1988	3,576,382
1989	3,737,319
1990	3,905,498

Program Administration and Development Grants (Section 306 and 306A)

<i>Fiscal Year</i>	<i>Dollars</i>
1986	36,000,000
1987	37,620,000
1988	39,312,900
1989	41,081,980
1990	42,930,669

Total

<i>Fiscal Year</i>	<i>Dollars</i>
1986	43,205,000
1987	45,149,225
1988	47,180,940
1989	49,304,082
1990	51,522,765

Section 2 of S. 959 repeals section 15(c) of the Coastal Zone Management Act Amendments of 1976 which authorized establishment of and hiring to fill four new positions outside the competitive service at rates up to GS-18.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 17, 1985.

Hon. JOHN C. DANFORTH,
Chairman, Committee on Commerce, Science and Transportation,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate for S. 959, a bill to amend the Coastal Zone Management Act of 1972 to provide authorization of appropriations, and for other purposes.

If you wish further details on this estimate, we will be pleased to provide them.

With best wishes,
Sincerely,

RUDOLPH G. PENNER, *Director.*

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: S. 959.
2. Bill title: A bill to amend the Coastal Zone Management Act of 1972 to provide authorization of appropriations, and for other purposes.
3. Bill status: As ordered reported by the Senate Committee on Commerce, Science and Transportation, May 9, 1985.
4. Bill purpose: S. 959 would authorize appropriations to the Secretary of Commerce for programs established by the Coastal Zone Management Act of 1972.

The bill would authorize funds through 1990 and federal administrative expenses and grants for (1) state administrative assistance, (2) the estuarine program, (3) the coastal resource improvement program, and (4) programs conducted pursuant to interstate agreements.

5. Estimated cost to the Federal Government:

(By fiscal years, in millions of dollars)

	1986	1987	1988	1989	1990
Authorization level.....	43.2	45.1	47.2	49.3	51.5
Estimated outlays.....	38.9	45.0	47.0	49.1	51.3

The costs of this bill fall within budget function 300.

Basis of estimate: The authorization levels are those stated in the bill. For purposes of this estimate, it is assumed that S. 959 will be enacted during fiscal year 1985 and that the full amounts authorized will be appropriated prior to the beginning of each fiscal year. Outlays have been estimated on the basis of historical spending patterns.

6. Estimated cost to State and local governments: None.
7. Estimate comparison: None.
8. Previous CBO estimate: None.
9. Estimate prepared by: Deborah Reis.
10. Estimate approved by: James L. Blum, Assistant Director for Budget Analysis.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported.

S. 959, as reported, reauthorizes appropriations for activities under the CZMA. It will result in no additional regulation and will therefore have no further effect on the number or type of individuals and businesses regulated, the economic impact of such regulation, the personal privacy of affected individuals, or the paperwork required from such individuals and businesses.

SECTION-BY-SECTION ANALYSIS

S. 959 contains two sections. The first section contains four paragraphs amending section 318 of the CZMA (16 U.S.C. 1464) concerning authorization levels. Section 2 repeals a provision relating to personnel.

All authorization levels in the bill cap fiscal year 1986 authorization levels at the fiscal year 1985 appropriation levels and allow a 4.5 percent increase during each of the succeeding 4 years.

SECTION 1 (1)

This section authorizes appropriations for section 309 grants to States to assist them in developing and coordinating interstate coastal zone planning and management.

SECTION 1 (2)

This section authorizes appropriations for section 315 grants to States to assist them in acquiring, developing or operating estuarine sanctuaries and in acquiring lands to provide for the preservation of islands.

SECTION 1 (3)

This section authorizes appropriations for the management and administration of NOAA's coastal zone management program.

SECTION 1 (4)

This section adds a paragraph (7) to section 318 to authorize appropriations for grants to States under both section 306 and section

306A. Such grants are available to States to assist them in meeting the costs of administering and implementing their coastal zone management programs. Section 306 and 306A grants have been authorized separately under section 318(1) and (2), respectively. By combining the authorizations, the recipient States will gain an increased role and flexibility in deciding how they wish to allocate available funds between section 306 and 306A activities.

SECTION 2

This section repeals section 15(c) of the Coastal Zone Management Act Amendments of 1976 (16 U.S.C. 1451, note). That section authorized the establishment of and hiring to fill four new positions outside the competitive service at rates up to GS-18. These special positions are no longer needed.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new material is printed in *italic*, existing law in which no change is proposed is shown in roman):

THE COASTAL ZONE MANAGEMENT ACT OF 1972

Section 318 of that Act

AUTHORIZATION OF APPROPRIATIONS

SEC. 318. (a) There are authorized to be appropriated to the Secretary—

(1)–(3) * * *

(4) such sums, not to exceed \$3,000,000 for each of the fiscal years occurring during the period beginning October 1, 1980, and ending September 30, 1985; *not to exceed \$1,000,000 for the fiscal year ending September 30, 1986; not to exceed \$1,045,000 for the fiscal year ending September 30, 1987; not to exceed \$1,092,025 for the fiscal year ending September 30, 1988; not to exceed \$1,141,166 for the fiscal year ending September 30, 1989; and not to exceed \$1,192,519 for the fiscal year ending September 30, 1990* as may be necessary for grants under section 309 to remain available until expended;

(5) such sums, not to exceed \$9,000,000 for each of the fiscal years occurring during the period beginning October 1, 1980, and ending September 30, 1985; *not to exceed \$2,930,000 for the fiscal year ending September 30, 1986; not to exceed \$3,061,850 for the fiscal year ending September 30, 1987; not to exceed \$3,199,633 for the fiscal year ending September 30, 1988; not to exceed \$3,343,617 for the fiscal year ending September 30, 1989; and not to exceed \$3,494,079 for the fiscal year ending September 30, 1990* as may be necessary for grants under section 315 to remain available until expended;

(6) such sums, not to exceed \$6,000,000 for each of the fiscal years occurring during the period beginning October 1, 1980, and ending September 30, 1985; *not to exceed \$3,275,000 for the*

fiscal year ending September 30, 1986; not to exceed \$3,422,375 for the fiscal year ending September 30, 1987; not to exceed \$3,576,382 for the fiscal year ending September 30, 1988; not to exceed \$3,737,319 for the fiscal year ending September 30, 1989; and not to exceed \$3,905,498 for the fiscal year ending September 30, 1990 as may be necessary for administrative expenses incident to the administration of this [title.] title; and

(7) such sums, not to exceed \$36,000,000 for the fiscal year ending September 30, 1986; not to exceed \$37,620,000 for the fiscal year ending September 30, 1987; not to exceed \$39,312,900 for the fiscal year ending September 30, 1988; not to exceed \$41,081,980 for the fiscal year ending September 30, 1989; and not to exceed \$42,930,669 for the fiscal year ending September 30, 1990, as may be necessary for grants under sections 306 and 306A, to remain available until expended.

(a)-(b) * * *

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THE COASTAL ZONE MANAGEMENT ACT AMENDMENTS OF 1976

Section 15 of that Act

SEC. 15. ADMINISTRATION.

(a)-(b) * * *

[(c) The Secretary may, to carry out the provisions of the amendments made by this Act, establish, and fix the compensation for, four new positions without regard to the provision of chapter 51 of title 5, United States Code, at rates not in excess of the maximum rate for GS-18 of the General Schedule under section 5332 of such title. Any such appointment may, at the discretion of the Secretary, be made without regard to the provisions of such title 5 governing appointments in the competitive service.]